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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

**MINISTRY OF LAW**

**(Legislative Department)**

*New Delhi, the 17th October, 1967/Asvina 25, 1889 (Saka)*

# THE NORTH-EAST FRONTIER AGENCY PANCHAYAT RAJ REGULATION, 1967

## No. 3 OF 1967

Promulgated by the President in the Eighteenth Year of the Republic of India.

A Regulation to provide for the constitution of Anchal Samitis, Zilla Parishads and Agency Council in the North-East Frontier Agency and for matters connected therewith.

In exercise of the powers conferred by article 240 of the Constitution, read with sub-paragraph (2) of paragraph 18 of the

Sixth Schedule to the Constitution, the President is pleased to promulgate the following Regulation made by him:—

## CHAPTER I

### PRELIMINARY

Short title, extent and commencement.

1. (*1*) This Regulation may be called the North-East Frontier Agency Panchayat Raj Regulation, 1967.

(*2*) It extends to the whole of the North-East Frontier Agency.

(*3*) It shall come into force on such date as the Governor may, by notification, appoint, and different dates may be appointed for different provisions of this Regulation and for different areas.

Definitions.

2. In this Regulation, unless the context otherwise requires,—

(*i*) "Agency Council" means the Agency Council constituted under section 57;

(*ii*) "Anchal Samiti" means an Anchal Samiti constituted under section 4;

(*iii*) "Block" means such area as may be declared by the Governor under section 3 to be a Block;

(*iv*) "Deputy Commissioner" means the Deputy Commissioner of a District;

(*v*) "District" means a District of the North-East Frontier Agency;

(*vi*) "Governor" means the Governor of Assam;

(*vii*) "Gram Panchayat" means a village authority constituted under the Assam Frontier (Administration of Justice) Regulation, 1945, by whatever name called; Assam Regulation 1 of 1945.

(*viii*) "North-East Frontier Agency" shall have the meaning assigned to it in the North-East Frontier Areas (Administration) Regulation, 1954; 1 of 1954.

(*ix*) "notification" means a notification published in the Official Gazette;

(*x*) "prescribed" means prescribed by rules made under this Regulation;

(*xi*) "Sub-divisional Officer" means the Additional Deputy Commissioner or the Assistant Commissioner in charge of a sub-division;

(*xii*) "village" means an area recognised to be a village at the commencement of this Regulation and includes any area which the Governor may, by notification, declare to be a village;

(*xiii*) "Zilla Parishad" means a Zilla Parishad constituted under section 51.

## CHAPTER II

### ANCHAL SAMITIS

Declaration of Blocks.

**3.** The Governor may, by notification, declare such contiguous areas in a District as he deems fit to be a Block for the purposes of this Regulation and may specify the Gram Panchayats in the Block:

Provided that no area included in a municipality, town committee or cantonment constituted under any law for the time being in force shall be included in a Block.

Constitution of Anchal Samitis and their incorporation.

**4.** (*1*) The Governor may, by notification, constitute an Anchal Samiti for a Block with effect from such date as may be specified therein.

(*2*) Every Anchal Samiti shall, by the name of the Block for which it is constituted, be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contracts and shall by its corporate name sue and be sued.

Alteration in area of Block.

**5.** (*1*) The Governor may, after consultation with an Anchal Samiti or Samitis concerned, at any time by notification—

(*a*) include any village or part of a village within the limits of a Block;

(*b*) exclude any village or part of a village from the limits of a Block; or

(*c*) amalgamate two or more Blocks into a single Block.

(*2*) Where, by a notification under sub-section (*1*), any village or part of a village is included within the limits of a Block, the jurisdiction of the Anchal Samiti established for that Block shall extend to such village or part which shall, unless the Governor otherwise

directs, become subject to all notifications, rules, bye-laws and orders made under this Regulation or any other law in force in that Block.

(3) Where, by a notification under sub-section (1), any village or part of a village is excluded from the limits of a Block, the jurisdiction of the Anchal Samiti established for that Block over such village or part shall thereupon cease and all notifications, rules, bye-laws and orders made under this Regulation or any other law in force in that Block shall cease to apply to that village or part, as the case may be.

(4) Where, by a notification under sub-section (1), two or more Blocks are amalgamated into a single block, the Governor may make such incidental and consequential orders as may be necessary for effecting such amalgamation.

6. (1) Every Anchal Samiti shall consist of—

Composition of Anchal Samiti.

(i) one representative elected in the prescribed manner, by the members of each Gram Panchayat falling within its jurisdiction:

Provided that where the number of villages in any Block exceeds twenty-five, the Deputy Commissioner may, by notification, divide such Block, in the prescribed manner, into not more than twenty-five constituencies, each consisting of one or more villages, and the members of Gram Panchayats included in each constituency shall elect, in the prescribed manner, one representative to the Anchal Samiti:

Provided further that, if at any time there is no Gram Panchayat in any village or, as the case may be, in any of the villages included in a constituency, or the members of the Gram Panchayat or Panchayats in a village or constituency, as the case may be, fail to elect their representative, the Deputy Commissioner may nominate a person ordinarily resident in that village or constituency, as the case may be, to be a member of the Anchal Samiti representing that village or constituency;

(ii) one representative elected, in the prescribed manner, by the Chairmen of the co-operative societies situate within the Block from amongst themselves, *ex officio*:

Provided that where there is only one co-operative society in a Block, the Chairman of that society shall be a member of the Anchal Samiti;

(*iii*) not more than five persons nominated by the Deputy Commissioner from the members of the tribes which have not secured representation in the Anchal Samiti under clause (*i*) or clause (*ii*);

(*iv*) the Sub-divisional Officer of the sub-division in which the Block is situated, *ex officio*:

Provided that if the area of a Block extends to two or more sub-divisions, the Sub-divisional Officer of any one of the sub-divisions specified by the Deputy Commissioner in this behalf shall be a member of the Anchal Samiti constituted for that Block.

(2) The Deputy Commissioner may appoint such officers as *ex officio* members of an Anchal Samiti as may be deemed necessary:

Provided that the officers so appointed shall have the right to attend the meetings of the Anchal Samiti and take part in the proceedings thereof but shall not be entitled to vote.

Disqualifications for membership.

7. A person shall be disqualified for being chosen as, and for being, a member of an Anchal Samiti, if he—

(*a*) is not a citizen of India; or

(*b*) is not twenty-five years of age; or

(*c*) has been dismissed from the service of Government or an Anchal Samiti or any other local authority for misconduct unless a period of five years has elapsed from such dismissal; or

(*d*) holds any office of profit under the Government or an Anchal Samiti or any other local authority; or

(*e*) has directly or indirectly any share or monetary interest in any work done by, or to, the Anchal Samiti or in any contract or employment with, under, or by, or on behalf of, the Anchal Samiti; or

(*f*) is an undischarged insolvent; or

(*g*) is of unsound mind and stands so declared by a competent court; or

(*h*) has been convicted by a criminal court of any offence involving moral turpitude and sentenced to imprisonment for not less than six months and five years have not elapsed since his release:

Provided that the disqualifications specified in clauses (*d*) and (*e*) shall not apply to an *ex officio* member.

President and Vice-President.

**8.** (*1*) The Sub-divisional Officer who is a member of an Anchal Samiti shall be its President.

(*2*) At the first meeting of an Anchal Samiti, the members shall elect from among themselves, a Vice-President in the manner prescribed.

Term of office of, and vacancies among, members of Anchal Samiti.

**9.** (*1*) Subject to the provisions of this section, the members of an Anchal Samiti shall hold office for a term of three years:

Provided that the Governor may, by order in writing and for reasons to be recorded therein, extend the said term by a period or periods not exceeding one year in the aggregate, and every such order shall be notified in the Official Gazette.

(*2*) The term of office of the members of an Anchal Samiti shall be deemed to commence on the date of the first meeting of the Anchal Samiti which shall be held on a date fixed by the Deputy Commissioner.

(*3*) The term of office of outgoing members shall be deemed to extend to and expire with the date preceding the date of the first meeting of the newly constituted Anchal Samiti.

(*4*) The term of office of an *ex officio* member shall continue so long as he holds the office by virtue of which he is such a member.

(*5*) The Vice-President of an Anchal Samiti shall hold such office so long as he is a member of the Anchal Samiti.

(*6*) A member (other than an *ex officio* member) shall be deemed to have vacated his seat if he is absent without excuse, sufficient in the opinion of the Anchal Samiti, from three consecutive ordinary meetings of the Anchal Samiti.

(*7*) An outgoing member shall be eligible for re-nomination or re-election.

Resignation of office and filling up of casual vacancies.

**10.** (*1*) The Vice-President of an Anchal Samiti or any other member thereof, not being an *ex officio* member, may resign his office by giving notice in writing to that effect to its President and such resignation shall take effect from the date of its receipt by the President.

(*2*) A casual vacancy in the office of the Vice-President or any member shall be filled by election or nomination in accordance with the provisions of this Regulation or the rules made thereunder:

Provided that a member elected or nominated under this sub-section shall hold office for the remainder of the term of the member in whose place he is elected or nominated.

Oath of office.

**11.** (*1*) Every member of an Anchal Samiti shall before taking his seat make and subscribe before such officer as the Governor may specify in this behalf, an oath or affirmation in the form set out in the First Schedule.

(*2*) A member who has not complied with the requirements of sub-section (*1*), shall not vote or take part in the proceedings of any meeting of the Anchal Samiti nor shall he be included as a member of any committee constituted by the Anchal Samiti.

Officers and employees of Anchal Samiti.

**12.** (*1*) The Governor shall appoint an Executive Officer for every Anchal Samiti.

(*2*) The Executive Officer shall act as the Secretary of the Anchal Samiti and shall, subject to the control of the President, carry out the resolutions and directions of the Anchal Samiti and discharge such other functions as may be prescribed.

(*3*) Subject to such rules as may be made in this behalf, the Anchal Samiti may appoint such other officers and employees and in such number as may from time to time be necessary.

Motion of no confidence.

**13.** (*1*) A motion of no confidence may be moved by any member of an Anchal Samiti against its Vice-President after giving at least seven days' notice in writing, to the President of the Anchal Samiti, of his intention to move such a motion.

(*2*) If the motion is carried by a majority of not less than two-thirds of the total number of members of the Anchal Samiti the Vice-President shall cease to hold office.

(*3*) Notwithstanding anything contained in this Regulation, the Vice-President of an Anchal Samiti shall not preside at a meeting in which a motion of no confidence against him is under discussion, but he shall have the right to speak or otherwise take part in the proceedings of such meeting.

Power of Governor to remove Vice-President or member of Anchal Samiti.

**14.** The Governor may, by order, remove from office the Vice-President or any other member of an Anchal Samiti, after giving him an opportunity of making a representation, if he—

(*a*) incurs any of the disqualifications specified in section 7, or

(*b*) refuses to act or becomes incapable of acting, or

(*c*) is, in the opinion of the Governor, guilty of misconduct in the discharge of his duties, or

(*d*) is, in the opinion of the Governor, undesirable in the public interest to be continued in office, or

(e) has caused financial loss, waste or misappropriation of any money, or property belonging to the Anchal Samiti, by neglect or misconduct in the performance of his duties,

and the Vice-President or member so removed shall not be eligible for re-election or re-nomination to the vacancy so created.

Meetings of Anchal Samiti.

**15.** (*1*) The time and place of meetings of an Anchal Samiti and the procedure at such meetings (including the quorum thereat) shall be such as may be prescribed.

(*2*) A member of an Anchal Samiti may, at any meeting, move any resolution and put questions to the President or the Vice-President on matters connected with the administration of the Anchal Samiti in the manner prescribed.

(*3*) No resolution of an Anchal Samiti shall be modified, amended, varied or cancelled by the Anchal Samiti within a period of three months from the date of passing thereof except by a resolution supported by two-thirds of the total number of members of the Anchal Samiti.

Committees.

**16.** (*1*) Subject to such rules as may be made in this behalf, an Anchal Samiti may appoint from among its members as many committees as it thinks fit to assist it in the discharge of any specified functions and may delegate to such committees such of its powers as may be deemed necessary.

(*2*) The President and Vice-President of an Anchal Samiti shall be the Chairman and Vice-Chairman respectively of every committee appointed under sub-section (*1*) and the Executive Officer of the Anchal Samiti shall be an *ex officio* member of every such committee.

(*3*) An Anchal Samiti may temporarily associate with any committee persons not being members of the Anchal Samiti, who have special experience and knowledge of any subject dealt with by a committee and any such person shall have the right to take part in the discussions of the committee but shall not have the right to vote, and shall not be a member for any other purpose.

Proceedings not to be invalid.

**17.** No act or proceeding of an Anchal Samiti or of any committee thereof shall be deemed to be invalid by reason only of the existence of any vacancy in, or defect in the constitution of, the Anchal Samiti or committee or of any informality in its proceedings.

General meeting.

**18.** The President of an Anchal Samiti may convene a general meeting of all the members of the Gram Panchayats falling within its jurisdiction to review the action taken by the Anchal Samiti during the preceding year and to present the working plan of the Anchal Samiti for the succeeding year.

Travelling and daily allowances of members of Anchal Samiti.

**19.** Every member of an Anchal Samiti who is not in the service of the Government shall be entitled to receive from the Anchal Samiti travelling and daily allowances for attending its meetings or the meeting of any of its committees at such rates as may be prescribed.

*Powers and functions*

Functions of Anchal Samiti.

**20.** (*1*) It shall be the duty of every Anchal Samiti so far as its Fund and the resources at its disposal may allow, to make reasonable provision within its jurisdiction in regard to the matters specified in the Second Schedule:

Provided that it may assign to any Gram Panchayat falling within its jurisdiction, all or any of its functions relating to matters specified in Part I of the said Schedule.

(*2*) An Anchal Samiti may also make provision for carrying out within the area under its jurisdiction, any other work or measure which is likely to promote the health, safety, education, comfort, convenience or social or economic well-being of the residents of the area.

Control of Anchal Samiti on certain properties.

**21.** (*1*) The Anchal Samiti, in respect of all roads, streets, bridges, culverts and other properties placed by the Governor under sub-section (*1*) of section 47 under its direction, management and control, may do all things necessary for the maintenance and repair thereof, and in particular, may—

(*a*) widen, open, enlarge or otherwise improve any such road, street, bridge or culvert and plant and preserve trees on the sides of such roads,

(*b*) deepen or otherwise improve any watercourse and other property mentioned in clause (*c*) of sub-section (*1*) of section 47, and

(*c*) cut any hedge or branch of any tree projecting on any such public road or street.

(*2*) The Anchal Samiti shall also have control of all roads, streets, waterways, bridges and culverts which are situated within its jurisdiction, not being private property or not being the property for the

time being under the control of the Government, and may do all things necessary for the improvement, maintenance and repair thereof, and in particular, may—

(*a*) lay out and make new roads, and

(*b*) construct new bridges and culverts.

Transfer of any work or management of any institution to, or from, an Anchal Samiti

**22.** (*1*) Subject to such rules as may be made in this behalf, and to such conditions as may be agreed upon, an Anchal Samiti may take over the execution, maintenance or repair of any work or the management of any institution within its jurisdiction on behalf of the Government or any local authority.

(*2*) Subject to such rules as may be made in this behalf, and to such conditions as may be agreed upon, an Anchal Samiti may, with the consent of a local authority or any person, make over to such authority or person, the execution, maintenance or repair of any work or the management of any institution within its jurisdiction.

Public charitable dispensaries and hospitals.

**23.** (*1*) The Governor may, with the consent of an Anchal Samiti, by notification, direct that any public charitable dispensary or hospital falling within its jurisdiction shall be placed under the control and administration of the Anchal Samiti.

(*2*) On the publication of the notification referred to in sub-section (*1*), the Anchal Samiti shall, subject to such rules as may be made in this behalf, be charged with the control and administration of the dispensary or hospital and the construction, repair and maintenance of all buildings connected therewith.

Establishment and maintenance of dispensaries, hospitals, etc.

**24.** Subject to such rules as may be made in this behalf, an Anchal Samiti may,—

(*a*) establish and maintain within its jurisdiction, dispensaries, hospitals, asylums and places for the reception of the sick or destitute or contribute towards the cost of establishment and maintenance of such institutions;

(*b*) provide for the employment of medical practitioners and for payment of allowances to such practitioners for services rendered;

(*c*) provide medicines or medical assistance for persons resident within its jurisdiction or take such measures as may appear to it to be necessary during the prevalence of any disease;

(*d*) with the previous sanction of the Governor, contribute such annual or other sums as may be agreed upon, towards the establishment or maintenance of any dispensary, hospital, asylum or place for the reception of the sick or destitute which is situate outside its jurisdiction, but is, or may be, ordinarily used by persons resident within its jurisdiction.

Improvement of sanitation.

**25.** (*1*) If an Anchal Samiti is of opinion that it is necessary so to do for the promotion of public health or for the prevention of danger to life or property, it may, by a notice in writing and within such period as may be specified therein, direct the owner or occupier of any building or land—

(*i*) to remove huts or privies wholly or partly; or

(*ii*) to remove, alter or construct private drains; or

(*iii*) to remove, alter or construct any public drain; or

(*iv*) to fill up, clean or deepen any watercourse, well, pool, ditch, tank, pond or any place containing, or used for the collection of, drainage or filth, to drain out stagnant water which appears to be injurious to health or offensive to the neighbourhood or to take such action as may be deemed necessary; or

(*v*) to clear any land of thick vegetation, undergrowth or jungle.

(*2*) If any work required to be done under sub-section (*1*) is not executed within the period specified in the notice, the Anchal Samiti may itself cause such work to be executed or done and the cost incurred thereon may be recovered from the owner or occupier in the prescribed manner.

(*3*) Any person who wilfully disobeys any direction issued under sub-section (*1*) shall be liable to a fine which may extend to ten rupees.

(*4*) If the Anchal Samiti considers that the owner or occupier or any other person has suffered loss as a result of any action taken under this section, not being due to his fault, it may award such compensation as it may deem adequate from its own funds.

Power to do certain acts in the event of an epidemic.

**26.** On the outbreak of an epidemic or an infectious disease, an Anchal Samiti shall have power to take all or any of the following measures for controlling and preventing the spread of the epidemic or disease in the area within its jurisdiction, namely :—

(*i*) restriction of the movement of infected persons or goods within its jurisdiction;

(*ii*) provision for vaccination or inoculation, as the case may be;

(*iii*) seizure of any polluted food-stuffs;

(*iv*) disinfection of wells, tanks or other sources of water-supply; and

(*v*) doing of such other acts as may be necessary.

Disinfection of buildings and articles.

**27.** (*1*) If the Anchal Samiti is of opinion that the cleansing or disinfecting of a building or any part thereof, or any article therein, which is likely to retain infection, will tend to prevent or check the spread of any disease, it may, by notice, require the occupier, or where there is no occupier, the owner thereof, to cleanse or disinfect the same in the manner and within the time specified in the notice.

(*2*) If—

(*a*) within the time specified as aforesaid, the person on whom the notice is served fails to have the building or part thereof or the article cleansed or disinfected, or

(*b*) such person gives his consent,

the Anchal Samiti may at his cost cause the building or part thereof or the article to be cleansed and disinfected:

Provided that the Anchal Samiti may, in its discretion, pay the whole or any part of such cost.

Removal of patients suffering from infectious or contagious diseases to hospital.

**28.** If any person suffering from any infectious or contagious disease is found, within the jurisdiction of any such Anchal Samiti as may be specified by the Governor by notification, to be—

(*a*) without proper lodging or accommodation, or

(*b*) living in a sarai or other public place,

the Anchal Samiti or any person authorised by it in this behalf may, on the advice of a medical officer not below in rank to that of an Assistant Surgeon, Grade I, remove the said person to any hospital or place at which persons suffering from such diseases are received for medical treatment and may take all reasonable measures to effect such removal.

Power to close markets.

**29.** (*1*) An Anchal Samiti may by order, with a view to preventing the spread of any infectious or contagious disease, close any market or shop within its jurisdiction for such period as may be specified

in the said order and may also forbid any person from entering such market or shop.

(2) An order under sub-section (1) shall be published in such manner and at such places as the Anchal Samiti may direct and notice thereof shall also be served on the owner or occupier of the market or shop, as the case may be.

(3) The owner or occupier of the market or shop may, after complying with the provisions of the order, appeal against it to the Deputy Commissioner and the decision of the Deputy Commissioner thereon shall be final.

(4) When an order has been published under sub-section (2) and has not been set aside by the Deputy Commissioner under sub-section (3), the owner or occupier of a market or shop who fails to close such market or shop shall be liable to a fine which may extend to five hundred rupees and any person who enters such market or shop in contravention of the provisions of the order shall be liable to a fine which may extend to fifty rupees.

Licensing of markets.

**30.** (1) An Anchal Samiti may, by order, direct that no place other than markets established by, or under the control or administration of, the Anchal Samiti shall be used as a market except in accordance with the terms and conditions of a licence granted by it.

(2) The Anchal Samiti may grant a licence under the provisions of this section subject to such conditions as it may think fit as to supervision and inspection, sanitation and water supply, weights and measures to be used, rents and fees to be charged and such other matters as may be specified in the bye-laws to be framed for the purpose.

(3) The Anchal Samiti may at any time suspend, cancel or modify a licence granted under sub-section (2) for contravention of any of the conditions thereof.

(4) Any person aggrieved by an order of the Anchal Samiti under sub-section (3) may appeal against such order to the Deputy Commissioner who may, after giving such person an opportunity to represent his case, modify, annul or confirm the order.

(5) The Anchal Samiti or any officer authorised by it may close any place used as a market without a licence or the licence for which has been suspended or cancelled.

Water-supply.

**31.** (1) An Anchal Samiti may take such action as may be necessary for proper and sufficient supply of water to any area within its jurisdiction and for this purpose may construct, repair and maintain water works, wells or tanks.

(2) The Anchal Samiti may, by order, set apart convenient tanks, springs, wells or part of rivers, streams, channels or watercourses, for the supply of water for drinking or for culinary purposes.

Compulsory vaccination.

**32.** An Anchal Samiti shall take such action as may be necessary for the enforcement of vaccination in the area within its jurisdiction.

Power to make contributions to Gram Panchayats.

**33.** Subject to such conditions as may be prescribed, an Anchal Samiti may make annual or other contributions to any Gram Panchayat falling within its jurisdiction to whom any of its powers or functions are assigned under section 20.

Power to protect crops.

**34.** An Anchal Samiti may by itself or in association with any Gram Panchayat or any other Anchal Samiti take such steps as may be necessary to scare away monkeys, squirrels, elephants, birds, locusts or other pests in order to save crops from being damaged.

Power of entry of Anchal Samiti officers.

**35.** A member of an Anchal Samiti and any officer or other employee of the Anchal Samiti authorised by it in this behalf may enter into or upon any house, building or land with or without assistants or workmen to make any inspection or execute any work required under any of the provisions of this Regulation:

Provided that—

(a) no such entry shall be made between sun-set and sun-rise; and

(b) no entry into a dwelling house may be made, except with the consent of the occupier thereof and without giving the said occupier at least twenty-four hours' previous notice of the intention to make such entry signed by the President or the Vice-President of the Anchal Samiti; and due regard shall always be had to the social and religious customs and usages of the occupants of the house so entered.

Other powers of Anchal Samiti.

**36.** An Anchal Samiti may, within its jurisdiction—

(a) establish and maintain bungalows and sarais for the use of travellers and charge therefor such fees as it thinks fit; and

(b) offer rewards at such scales as may be approved by the Governor for the destruction of unclaimed or diseased dogs and animals.

*Finance, Property and Accounts*

Anchal Samiti Fund.

**37.** (1) There shall be an Anchal Samiti Fund for each Anchal Samiti and the same shall be utilised for discharging its functions under this Regulation.

(2) The following shall be credited to and form part of the Anchal Samiti Fund, namely:—

(*i*) the proceeds of any tax, fees, licence fees, cess and surcharge levied under this Regulation;

(*ii*) the collection charges referred to in section 46;

(*iii*) any grants and contributions made by the Governor or any local authority or other person;

(*iv*) all sums received by way of loan or gift;

(*v*) the income from, or the sale proceeds of, any property of the Anchal Samiti;

(*vi*) the sale proceeds of all dust, dirt, dung or refuse collected by the employees of the Anchal Samiti;

(*vii*) all sums received in aid of, or for expenditure on, any institution or service, maintained, managed or financed by the Anchal Samiti;

(*viii*) any other sums paid to the Anchal Samiti.

(3) The amount in the Anchal Samiti Fund shall be kept in such custody as may be prescribed.

Raising of loans and formation of a Sinking Fund.

**38.** Subject to such rules as may be made in this behalf, and subject to the provisions of any law for the time being in force relating to the raising of loans by local authorities, an Anchal Samiti may raise loans for discharging its functions under this Regulation and for the repayment of such loans form a Sinking Fund.

Application of Anchal Samiti Fund.

**39.** The Anchal Samiti Fund shall be applied for payments in the following order, namely:—

(*a*) payment of interest on loans raised under section 38, and payments into the Sinking Fund, if formed;

(*b*) payment of the salaries, allowances and other remuneration of the officers and other employees of the Anchal Samiti;

(*c*) payment of expenses incurred by the Anchal Samiti in the discharge of its functions under this Regulation;

(*d*) payment of such other administrative expenses of the Anchal Samiti as may be prescribed.

Power of taxation.

**40.** (1) Subject to approval by the Governor and subject to such rules as may be prescribed, an Anchal Samiti may levy—

(*a*) a tax on brick or concrete buildings;

(*b*) a tax on supply of drinking water, sale of firewood and thatch, conservancy, lighting and slaughter houses;

(*c*) a tax on cultivable land lying fallow for two consecutive years;

(*d*) a tax on fisheries allotted to the Anchal Samiti;

(*e*) a fee on the registration of cattle sold within its jurisdiction;

(*f*) a licence fee in respect of—

(*i*) tea stalls, hotels, sweet-meat shops, restaurants, bakeries and confectioneries;

(*ii*) collection of hides and bones;

(*iii*) cinema halls, circuses, professional variety shows and fairs;

(*iv*) brick and tile kilns;

(*v*) oil and rice mills;

(*vi*) *hats* and bamboo stalls;

(*vii*) carts, carriages, cycles and boats;

(*viii*) saw mills and timber depots.

(*g*) a cess for the supply of water for irrigation;

(*h*) a surcharge on duty for the transfer of immovable property.

(2) The taxes, fees and surcharge shall be imposed, assessed and realised at such times and in such manner as may be prescribed.

Recovery of taxes and other duties.

**41.** (*1*) When any tax or fee or other sum due to an Anchal Samiti has become payable, the Anchal Samiti shall, with the least practicable delay, cause to be sent to the person liable for the payment thereof, a demand notice in the prescribed form for the amount due from him and require him to pay the amount within a date to be specified in such notice.

(*2*) Every notice of demand under sub-section (*1*) shall be served in such manner as may be prescribed.

(*3*) If the sum for which a notice of demand has been served is not paid within the date specified therein, the Anchal Samiti may recover the same in the prescribed manner.

Appeal against levy of tax, etc.

**42.** Any person aggrieved by the assessment, levy or imposition of any tax, fee or surcharge may appeal to the Deputy Commissioner within thirty days of the date of the order imposing such tax, fee or surcharge, and the decision of the Deputy Commissioner thereon shall be final:

Provided that an appeal may be admitted after the expiration of the period specified in this section, if the appellant satisfies the Deputy Commissioner that he had sufficient cause for not preferring the appeal within that period.

Objections to assessment.

**43.** No objection shall be taken to any assessment made under this Regulation, nor shall the liability of any person so assessed be questioned otherwise than in accordance with the provisions of this Regulation or the rules made thereunder.

Suspension of levy of tax, etc.

**44.** The Governor may, by notification, suspend the levy or imposition of any tax, fee or surcharge and may at any time in like manner rescind such suspension.

Power of Governor to increase taxation.

**45.** (*1*) If, in the opinion of the Governor, the regular income of an Anchal Samiti falls below what is required for the proper discharge of its functions under this Regulation, he may require the said Anchal Samiti to take steps to increase its income to such extent and within such period as may be specified by him.

(*2*) If the Anchal Samiti fails to take adequate steps to increase its income to the extent required within the period specified, the Governor may direct the Anchal Samiti to levy any of the taxes or fees specified in section 40, or increase the rate at which any such tax or fee is levied.

(*3*) If an Anchal Samiti fails to levy a tax or fee or enhance the rate of any tax or fee as required under sub-section (*2*), the Governor may, by notification, levy, or increase the rate of, such tax or fee.

Collection of tax or revenue due to Government.

**46.** An Anchal Samiti may, in the prescribed manner, collect any class of tax or revenue or fee or due payable to the Government in respect of the area falling within its jurisdiction, on being allowed a prescribed percentage of collection charges.

Properties placed under the direction, management and control of Anchal Samiti.

**47.** (*1*) The Governor may, if he deems fit, place all or any of the following properties situated within the jurisdiction of the Anchal Samiti, under the direction, management and control of the Anchal Samiti, namely:—

(*a*) open sites, waste, vacant and grazing lands, not being private property, and river beds;

(*b*) public roads and streets;

(*c*) public channels, watercourses, wells, ponds, tanks (except irrigation tanks under the control of the Government) public springs, reservoirs, cisterns, fountains, aqueducts and any adjacent land (not being private property) appertaining thereto;

(*d*) public sewers, drains and drainage works, tunnels and culverts and things appertaining thereto and other conservancy works;

(*e*) sewage, rubbish and offensive matter deposited on streets or collected by the Anchal Samiti from streets, latrines, urinals, sewers, cesspool and other places; and

(*f*) public lamps, lamp posts and apparatus connected therewith or appertaining thereto.

(*2*) All markets and fairs or such portion thereof as are held upon public land shall be managed and regulated by the Anchal Samiti and shall receive to the credit of the Anchal Samiti Fund all dues levied or imposed in respect thereof.

**Accounts and audit.**

**48.** (*1*) Every Anchal Samiti and every Gram Panchayat receiving contributions from an Anchal Samiti under section 33 shall maintain accounts of its receipts and expenditure in such form, as may be prescribed.

(*2*) The accounts of every Anchal Samiti and the Gram Panchayat referred to in sub-section (*1*) shall be audited annually in such manner as may be prescribed.

**Preparation of budget estimates of Anchal Samiti.**

**49.** (*1*) An Anchal Samiti shall prepare annually on or before such date and in such form as may be prescribed a budget estimate of its income and expenditure for the next financial year and may also prepare a supplementary budget estimate at any time during a financial year.

(*2*) The annual or supplementary budget estimate of an Anchal Samiti shall be submitted to the Deputy Commissioner and after being approved by him shall be binding on the Anchal Samiti.

(*3*) No expenditure shall be incurred by an Anchal Samiti unless it is included in the budget estimates which have been approved by the Deputy Commissioner under sub-section (*2*).

**Administration Report.**

**50.** (*1*) Every Anchal Samiti shall submit annually to the Deputy Commissioner by such date as may be prescribed, a report on the administration of the Anchal Samiti during the previous year.

(2) The report shall be prepared by the Executive Officer and after it is approved by the Anchal Samiti shall be forwarded to the Deputy Commissioner with a copy of the resolution of the Anchal Samiti thereon.

## CHAPTER III

### ZILLA PARISHADS

Constitution and composition of Zilla Parishads.

**51.** (1) The Governor may, by notification, constitute a Zilla Parishad for each District with effect from such date as may be specified therein.

(2) Every Zilla Parishad shall consist of—

(*i*) the Vice-Presidents of all the Anchal Samitis in the District, *ex officio;*

(*ii*) one representative of every Anchal Samiti in the District, to be elected by its members from amongst themselves in the prescribed manner;

(*iii*) not more than six persons to be nominated by the Governor from out of the tribes which have not secured representation on the Zilla Parishad :

Provided that no person shall be nominated or after having been nominated, remain a member of a Zilla Parishad, if he suffers from any of the disqualifications specified in clauses (*a*) to (*h*) of section 7;

(*iv*) the Deputy Commissioner in charge of the District, *ex officio.*

Term of office of members of Zilla Parishad

**52.** (1) A person who is a member of a Zilla Parishad by virtue of clause (*i*) or clause (*ii*) of sub-section (2) of section 51, shall cease to be such member on his ceasing to be a Vice-President or a member, as the case may be, of the Anchal Samiti.

(2) The term of office of a person nominated under clause (*iii*) of sub-section (2) of section 51 shall be three years:

Provided that a member nominated to fill a casual vacancy shall hold office for the remainder of the term of the member in whose place he is nominated.

President and Vice-President of Zilla Parishad

**53.** (1) The Deputy Commissioner shall be the President of the Zilla Parishad.

(2) As soon as may be after a Zilla Parishad is constituted, the

Zilla Parishad shall elect in the prescribed manner from amongst its members a Vice-President who shall, subject to the other provisions of this Regulation, hold office for a period of three years.

(3) If a casual vacancy occurs in the office of the Vice-President of a Zilla Parishad, the person elected in the manner specified in sub-section (2) to fill such vacancy shall hold office for the remainder of the term of the Vice-President in whose place he is elected.

**Resignation of Vice-President or member of Zilla Parishad.**

54. The Vice-President, or any member other than an *ex officio* member, of a Zilla Parishad may resign his office by intimating in writing his intention to do so to the President of the Zilla Parishad and such resignation shall take effect from the date of its receipt by the President.

**Functions of Zilla Parishad**

55. (1) The Zilla Parishad shall advise the Governor on all matters concerning the activities of the Gram Panchayats and Anchal Samitis situated within the District.

(2) In particular, it shall be the duty of the Zilla Parishad—

(a) to make recommendations to the Governor in respect of—

(i) the budget estimates of the Anchal Samitis;

(ii) the distribution and allocation of funds and grants to the Anchal Samitis;

(iii) the co-ordination and consolidation of the plans proposed by the Anchal Samitis and drawing up of the District plan;

(iv) the co-ordination of the work of the Gram Panchayats and Anchal Samitis; and

(v) land settlement and raising of revenues for the Anchal Samitis;

(b) to review the working of the Anchal Samitis from time to time;

(c) to advise on such other matters as may be referred to it by the Governor.

**Meetings.**

56. (1) The Zilla Parishad shall meet as often as may be necessary and shall observe, subject to the provisions of sub-sections (2) and (3), such rules of procedure in regard to the transaction of business at its meetings as may be prescribed :

Provided that not more than six months shall elapse between one meeting of the Zilla Parishad and another.

(2) The President of the Zilla Parishad or in his absence, the Vice-President, or in the absence of both, any member nominated by the President in that behalf shall preside at any meeting of the Zilla Parishad.

(3) All questions at a meeting of the Zilla Parishad shall be decided by a majority of the votes of the members present and voting and in the case of equality of votes, the President of the Zilla Parishad or in his absence, the person presiding shall have a second or casting vote.

## CHAPTER IV

### AGENCY COUNCIL

Constitution of Agency Council.

**57.** The Governor may constitute an advisory body to be called the Agency Council consisting of—

(*i*) the Governor;

(*ii*) the member of Parliament representing the North-East Frontier Agency;

(*iii*) the Vice-Presidents of all the Zilla Parishads;

(*iv*) three representatives from each of the Zilla Parishads to be elected by its members from amongst themselves in the prescribed manner;

(*v*) the Adviser to the Governor, *ex officio*.

Functions of Agenc Council.

**58.** The Agency Council may be consulted by the Governor in regard to—

(*a*) matters of administration involving general questions of policy relating to the North-East Frontier Agency in the State field;

(*b*) the Five Year Plan and annual plan proposals for the development of the North-East Frontier Agency;

(*c*) the estimated receipts and expenditure pertaining to the North-East Frontier Agency to be credited to, and to be made from, the Consolidated Fund of India;

(*d*) proposals for undertaking legislation with respect to any of the matters enumerated in the State List in the Seventh Schedule to the Constitution;

(*e*) any other matter which the Governor may refer to it for advice.

Meetings of Agency Council.

**59.** (*1*) The Agency Council shall meet as often as may be necessary and not more than one year shall elapse between one meeting of the Agency Council and another meeting.

(2) The Governor shall preside at the meetings of the Agency Council.

(3) Meetings of the Agency Council shall be regulated by such procedure as may be prescribed.

(4) Subject to rules regulating the procedure of the Agency Council, and subject to the discretion of the Governor to refuse to give information or to allow discussion on any subject in the public interest, a member of the Agency Council shall have the right to ask questions on matters of public interest relating to the North-East Frontier Agency.

## CHAPTER V

### CONTROL OF GRAM PANCHAYATS AND ANCHAL SAMITIS

owers of ıspection, ıpervision ıd control overnor, c.

**60.** The Governor, and such officers as are empowered by him in this behalf, shall have the powers of inspection, supervision and control over the performance of the functions of Gram Panchayats and Anchal Samitis and, without prejudice to the generality of the foregoing powers, may—

(*a*) enter and inspect any immovable property in the occupation or control of, or any work in progress under the direction of, a Gram Panchayat or an Anchal Samiti;

(*b*) call for and inspect any document which is in the possession or control of a Gram Panchayat or an Anchal Samiti;

(c) require by an order in writing, a Gram Panchayat or an Anchal Samiti to furnish such reports, statements, accounts or proceedings as are necessary;

(*d*) give such advice in writing in respect of the functions and proceedings of a Gram Panchayat or an Anchal Samiti as they think fit;

(*e*) institute an inquiry in respect of any matter relating to a Gram Panchayat or an Anchal Samiti and rectify any of its acts or omissions.

Inspection of construction work, etc., by members of Anchal Samiti.

**61.** With the previous sanction of the President of the Anchal Samiti, a member of an Anchal Samiti may inspect—

(*a*) any work or institution constructed or maintained in whole or in part at the expense of the Anchal Samiti; or

(*b*) any register, books, accounts or other documents belonging to, or in the possession of, the Anchal Samiti.

Inspector of Local Works.

**62.** (*1*) The Governor may appoint an officer of Government to be Inspector of Local Works for one or more sub-divisions.

(*2*) The Inspector of Local Works shall—

(*a*) advise with regard to the construction or repairs of any property under the control and administration of any Gram Panchayat or Anchal Samiti and may for this purpose enter and inspect any immovable property and every such Gram Panchayat or Anchal Samiti shall furnish such statements, estimates and reports as he may require; and

(*b*) perform such other functions and exercise such other powers as may be prescribed.

(*3*) A report of every inspection made under this section shall be prepared and a copy thereof shall be forwarded to the Gram Panchayat or Anchal Samiti concerned.

(*4*) Every Gram Panchayat or Anchal Samiti shall in all matters of technical details be guided by the report of the Inspector of Local Works.

Default in performance of duty by Anchal Samiti, member, officer, etc.

**63.** (*1*) If at any time it appears to the Deputy Commissioner or any officer authorised by him in this behalf that an Anchal Samiti or any member, officer or employee thereof has made wilful or persistent default in the performance of any duty imposed under this Regulation, the Deputy Commissioner or the officer may, by order in writing, fix a period for the performance of that duty, and if the duty is not performed within the period so fixed, the Deputy Commissioner or the officer may by order appoint any person to perform the said duty and direct that the expenses of the performance of the duty shall be paid by the defaulting Anchal Samiti within such period as he may think fit.

(*2*) The Deputy Commissioner or the officer exercising the power under sub-section (*1*) shall call for the explanation of the Anchal Samiti concerned for any default under sub-section (*1*) and shall forthwith report to the Governor who may, after giving notice to the Anchal Samiti, officer or employee and after making such inquiry as he deems fit, rescind, modify or confirm the order.

Suspension of execution of order or resolution of Anchal Samiti.

**64.** (*1*) If, in the opinion of the Deputy Commissioner or any officer authorised by him in this behalf, the execution of any order or resolution of an Anchal Samiti or the doing of any act which is about to be done or is being done by or on behalf of an Anchal Samiti is causing or is likely to cause injury or annoyance to the public or to lead to a breach of the peace or is unlawful, he may, by order in writing, suspend the execution of that order or resolution or prohibit the doing of that act.

(*2*) When the Deputy Commissioner or the officer makes an order under sub-section (*1*), he shall forthwith send to the Anchal Samiti affected thereby a copy of the order together with a statement of the reasons for making it.

(*3*) The Deputy Commissioner or the officer shall also forthwith submit to the Governor a report of the circumstances in which the order was made under this section and the Governor may, after giving notice to the Anchal Samiti and making such inquiry as he deems fit, rescind, modify or confirm the order.

Power of Deputy Commissioner to call for records relating to tax or fee and make suggestions.

**65.** (*1*) The Deputy Commissioner may, at any time, call for the records of an Anchal Samiti relating to taxes or fees levied within its area and may make suggestions for alteration, addition or modification of, any tax or fee so levied or the rate thereof.

(*2*) On receipt of a suggestion under sub-section (*1*), the Anchal Samiti shall reconsider the matter in a meeting and a copy of the resolution adopted shall be sent to the Deputy Commissioner.

Dissolution of an Anchal Samiti.

**66.** (*1*) If, in the opinion of the Governor, an Anchal Samiti--

(*a*) exceeds or abuses its powers, or

(*b*) is incompetent to perform, or makes wilful and persistent default in the discharge of the functions imposed on it by or under this Regulation or any other law for the time being in force, or

(*c*) persistently disobeys the order of the Deputy Commissioner or the officer under sub-section (*1*) of section 63,

the Governor may, by order in writing, dissolve the Anchal Samiti and direct that it shall be reconstituted in the manner provided in this Regulation.

(*2*) No order under sub-section (*1*) shall be passed by the Governor without giving to the Anchal Samiti a reasonable opportunity to render an explanation.

(3) When an Anchal Samiti is dissolved under sub-section (1),—

(a) all the members of the Anchal Samiti shall, from the date specified in the order, vacate their office as members;

(b) all the functions of the Anchal Samiti shall, during the period of dissolution, be discharged by such person or persons as the Governor may appoint in this behalf.

Disputes between local authorities.

**67.** If any dispute arises between two or more Anchal Samitis or between an Anchal Samiti and a Gram Panchayat or between two or more Gram Panchayats, it shall be referred to the Governor and his decision thereon shall be final.

Governor's power to call for proceedings.

**68.** Notwithstanding anything contained in this Chapter, the Governor may call for and examine the records relating to any order passed by any officer or Anchal Samiti for the purpose of satisfying himself as to the legality or propriety of the order passed and may revise or modify the order as he may deem fit.

## CHAPTER VI

### MISCELLANEOUS

Bar of action against Anchal Samiti, etc., and previous notice before institution.

**69.** (1) No suit or prosecution shall lie against any member, officer, employee or agent of a Gram Panchayat or an Anchal Samiti, in respect of anything done or intended to be done in good faith under this Regulation or any rule or bye-law made thereunder.

(2) No suit or other legal proceeding shall be instituted against any Gram Panchayat or Anchal Samiti or any member, officer, employee or agent thereof, for anything done or purporting to be done under this Regulation or any rule or bye-law made thereunder, until the expiration of two months next after notice in writing has been left or delivered at the office of the Gram Panchayat or Anchal Samiti, as the case may be, and also at the residence of the member, officer, employee or agent thereof against whom such suit or proceeding is intended to be instituted, and the notice shall state the cause of action, the nature of the relief sought, the amount of compensation claimed and the name and place of abode of the person who intends to institute the suit or proceeding.

(3) Every suit or proceeding referred to in sub-section (2) shall be instituted within six months after the date on which the cause of action arose.

Liability of members for loss, waste or

**70.** (1) Every member of an Anchal Samiti shall be personally liable for the loss, waste or misapplication of any money or other property of the Anchal Samiti to which he has been a party or which

misapplication.

has been caused or facilitated by his misconduct or wilful neglect of duty as a member amounting to fraud.

(2) If, after giving the member concerned a reasonable opportunity for showing cause to the contrary, the Deputy Commissioner or any officer authorised by him in this behalf, is satisfied, after such inquiry as he deems fit, that the loss, waste or misapplication of any money or other property of the Anchal Samiti is a direct consequence of the misconduct or wilful neglect on the part of such member, he shall, by order in writing, direct such member to pay to the Anchal Samiti before a fixed date the amount required to reimburse it for such loss, waste or misapplication:

Provided that no such order shall be made for *bona fide* or technical irregularities or mistakes of a member.

(3) If the amount is not so paid, the Deputy Commissioner or the officer authorised by him in that behalf shall recover it in the prescribed manner.

(4) An order of the Deputy Commissioner or the officer under subsection (2) shall be subject to an appeal to the Governor if made within thirty days of the date of the order.

Members, etc., to refrain from taking part at sales.

**71.** A member of an Anchal Samiti or any officer thereof having any duty to perform in connection with any sale or contract under this Regulation shall not directly or indirectly bid for, or acquire any interest in, any property sold at such sale or accept a contract work.

Penalty for obstructing Anchal Samitis or officers from doing anything under this Regulation, etc.

**72.** Whoever—

(*i*) obstructs an Anchal Samiti or any member, employee or agent thereof, or prevents or attempts to prevent any such member, employee or agent from doing anything which he is empowered or required to do under the provisions of this Regulation or any rule or bye-law made thereunder, or

(*ii*) without lawful authority removes or destroys, defaces or otherwise obliterates any notice, materials, lamp-post, direction post, stand post or any other property exhibited or erected by the Anchal Samiti or under its authority,

shall be punishable with fine which may extend to fifty rupees.

Penalty for encroachment of road, etc.

**73.** Whoever encroaches upon any land, road, site, public drain, sewer, aqueduct, watercourse or other property placed under the control of an Anchal Samiti under section 47, by making any excava-

tion or by erecting any wall, fence, rail, post, projection or other obstruction or by depositing any movable property, shall, for every such offence, be punishable with fine which may extend to fifty rupees, and, in the case of a continuing encroachment, with an additional fine which may extend to ten rupees for every day after the first during which he has persisted in the encroachment.

Intimation to be given of infectious diseases.

**74.** If a medical practitioner who is aware of the existence of any infectious or contagious disease in any place other than a public hospital or dispensary fails to intimate forthwith the existence of such a disease to such officers as the Anchal Samiti may specify, or gives false information about the existence of such a disease, he shall be punishable with fine which may extend to fifty rupees.

Power to compound cases.

**75.** (*1*) The Anchal Samiti may, either before or after the institution of criminal proceedings under this Regulation, compound any offence against this Regulation or any rule or bye-law made thereunder on payment of such sum in cash to the Anchal Samiti Fund as may be agreed upon.

(*2*) Where an offence has been compounded, the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence so compounded.

Penalty for contravention of Regulation, etc.

**76.** Whoever contravenes any of the provisions of this Regulation or any rule made thereunder shall, if no other penalty is provided elsewhere in this Regulation for such contravention, be punishable with fine which may extend to two hundred rupees and, in the case of a continuing contravention, with an additional fine which may extend to ten rupees for every day after the first during which he has persisted in the contravention.

Power to delegate.

**77.** (*1*) The Governor may, by notification and subject to such restrictions and conditions as may be specified therein, authorise any officer subordinate to him to exercise in respect of Anchal Samitis, any of the powers which may be exercised by the Governor under this Regulation or rules framed thereunder, except the power to make rules under section 83.

(*2*) The Governor may also, by notification, authorise any officer subordinate to him to perform all or any of the functions of the Deputy Commissioner under this Regulation or rules framed thereunder.

(*3*) The Deputy Commissioner may delegate all or any of his powers under this Regulation or rules framed thereunder, to any officer subordinate to him.

Co-operation with Government officers.

**78.** The Anchal Samiti shall, so far as practicable, act in co-operation with, and shall assist, every Government officer who works for the welfare of the rural population within its area.

Powers and duties of police in respect of offences and assistance to Anchal Samiti, etc.

**79.** Every police officer shall give immediate information to the Anchal Samiti of an offence coming to his knowledge which has been committed against this Regulation or any rule or bye-law made thereunder within its jurisdiction, and shall assist the members and employees of the Anchal Samiti in the exercise of their lawful authority.

Members, etc., of Anchal Samiti to be public servants.

**80.** Every member, officer or other employee of an Anchal Samiti shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. **45 of 1860.**

Inspection and copies of records.

**81.** Every Anchal Samiti shall, on application made to it by any person interested, allow inspection of its records and grant certified copies thereof on payment of the prescribed fee.

Removal of difficulties.

**82.** If any difficulty arises in giving effect to the provisions of this Regulation, the Governor may, by order published in the Official Gazette, make such provision, not inconsistent with the provisions of this Regulation, which appears to him to be necessary or expedient for the purpose of removing the difficulty.

Power to make rules.

**83.** (*1*) The Governor may, after previous publication, make rules to carry out the purposes of this Regulation.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(*i*) the manner of election of members and the Vice-President of an Anchal Samiti;

(*ii*) the manner of division of a Block into constituencies for the purpose of election of members to an Anchal Samiti under clause (*i*) of sub-section (*1*) of section 6;

(*iii*) the functions to be discharged by the Executive Officer of an Anchal Samiti;

(*iv*) the appointment of the officers and employees of Anchal Samitis;

(*v*) the conduct of meetings of Anchal Samitis and the transaction of business thereat;

(*vi*) the appointment of committees of Anchal Samitis and their functions;

(*vii*) the travelling and other allowances to be paid to the members of the Anchal Samiti or any other person for attending meetings of Anchal Samiti or any of its committees;

(*viii*) the establishment, control, administration and maintenance of dispensaries, hospitals, asylums and places for the reception of the sick or destitute within the jurisdiction of the Anchal Samiti;

(*ix*) the custody and investment of the Anchal Samiti Fund;

(*x*) the raising of loans by the Anchal Samitis and the conditions subject to which an Anchal Samiti may make annual or other contributions to Gram Panchayats;

(*xi*) the imposition and assessment of taxes, fees and surcharge and the realisation thereof;

(*xii*) the form of demand notices and the manner of their service;

(*xiii*) the manner of filing appeals under this Regulation and hearing of such appeals;

(*xiv*) the collection by Anchal Samitis of any tax, fee or other due on behalf of Government and payment of collection charges therefor;

(*xv*) the form of accounts to be maintained by the Anchal Samitis and the Gram Panchayats receiving contributions from an Anchal Samiti and the manner of audit of such accounts;

(*xvi*) the form of annual budget estimates of Anchal Samitis and the date before which they are to be prepared;

(*xvii*) the manner in which any moneys due to the Anchal Samiti may be recovered;

(*xviii*) the manner of election of members and the Vice-President of a Zilla Parishad;

(*xix*) the conduct of meetings of Zilla Parishads and the procedure to be followed thereat;

(*xx*) the allowances to be paid to the members of the Zilla Parishad and Agency Council for attending meetings;

(*xxi*) the manner of election of members to the Agency Council;

(*xxii*) the conduct of meetings of the Agency Council and the procedure to be followed thereat;

(*xxiii*) the powers and functions of Inspectors of Local Works;

(*xxiv*) the fees to be levied by Anchal Samitis for supply of copies of documents and the procedure to be followed in furnishing such copies;

(*xxv*) any other matter which has to be or may be prescribed:

Provided that the rules under clause (*xxii*) shall be made after consultation with the Agency Council.

Power to make bye-laws.

84. (*1*) Subject to the provisions of this Regulation and the rules made thereunder, an Anchal Samiti may frame bye-laws—

(*a*) to regulate the appointment, functions, powers, duties and conditions of service of its officers and employees;

(*b*) to prohibit or regulate the discharge of water from any drain or premises on a public street or into a river, pond, tank, well or any other place;

(*c*) to regulate sanitation, conservancy and drainage in the area within its jurisdiction;

(*d*) to prohibit or regulate the use of roads, public streets or other public places;

(*e*) to regulate the terms and conditions subject to which a licence may be granted for the running of markets by private persons, the fees to be charged therefor and other incidental matters;

(*f*) to regulate the manner in which tanks, ponds, cesspools, pasture lands, play-grounds, manure pits, land for disposal of dead bodies and bathing places may be maintained and used; and

(*g*) to regulate any of its functions under this Regulation.

(*2*) Any bye-law made under sub-section (*1*) may provide that a contravention thereof shall be punishable with fine which may extend to twenty-five rupees and in the case of a continuing contravention, with an additional fine which may extend to five rupees for each day during which the contravention continues.

(*3*) The power to make bye-laws conferred under sub-section (*1*) is conferred subject to the condition of the bye-law being made after previous publication and any bye-law so made shall not take effect until it has been approved by the Governor and published in the Official Gazette.

## THE FIRST SCHEDULE

### FORM OF OATH OF OFFICE

(*See* section 11)

I, ..... ....., a member of the ..... Anchal Samiti, do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, and that I will duly and faithfully to the best of my ability, knowledge and judgment perform the duties of my office without fear or favour or affection or ill will.

## THE SECOND SCHEDULE

MATTERS WITHIN THE JURISDICTION OF ANCHAL SAMITIS

(*See* section 20)

### PART I

I.—In the sphere of sanitation and health:—

(1) cleaning and lighting of streets;

(2) sanitation and conservancy of the area within the jurisdiction of the Gram Panchayat and the prevention of public nuisance therein;

(3) opening and regulation of burial and cremation grounds for the dead bodies of human beings and regulating places for disposal of dead animals and of other offensive matter;

(4) supply of water for drinking and domestic use;

(5) cleaning of public roads, drains, bunds, tanks, wells and other public places or works;

(6) layout and maintenance of play-grounds for village children and of public gardens;

(7) disposal of unclaimed corpses and unclaimed cattle;

(8) construction and maintenance of public latrines;

(9) taking of measures to prevent the outbreak, spread or recurrence of any infectious disease;

(10) removal of rubbish heaps, jungle growth, the filling in of disused wells, insanitary ponds, pools, ditches, the prevention of water logging in irrigated areas and other improvements in sanitary conditions;

(11) providing medical relief;

(12) reclaiming unhealthy localities;

(13) maternity and child welfare.

(14) encouragement of vaccination in human beings and animals.

II.—In the sphere of public works:—

(1) control, regulation and development of grazing grounds, village common, and other community property;

(2) controlling and maintaining buildings, institutions and property belonging to or placed under the control of the Anchal Samitis or which may be transferred to it for management;

(3) planting of trees along the roads and public places and maintenance thereof;

(4) establishment, maintenance and management of cattle ponds and to perform such functions as may be transferred to it by notification under section 31 of the Cattle Trespass Act, 1871 (1 of 1871);

(5) destruction of stray and ownerless dogs,

(6) removal of obstructions in public places and sites which are not private property;

(7) construction, maintenance and repair of buildings, water ways, public roads, drains, embankments, bunds and bridges;

(8) control, maintenance and regulation of fairs, minor *hats* or minor bazars and cart stands;

(9) construction and maintenance of *dharamsalas*;

(10) construction and maintenance of houses for the staff of the Anchal Samiti;

(11) provision and maintenance of camping grounds;

(12) extension of village sites and the regulation of buildings;

(13) management of community lands;

(14) excavation, cleaning and maintenance of ponds for supply of water to animals;

(15) construction and maintenance of minor irrigation works;

(16) construction and maintenance of warehouses;

(17) land management.

III.—In the sphere of education and culture:—

(1) maintenance of public radio sets for the benefit of rural population;

(2) establishment and maintenance of library, reading room, club or other places of recreation and games;

(3) popularisation of village sports, organisation and celebration of national and public festivals;

(4) spread of education up to Middle English and Middle Vernacular standards;

(5) establishment and maintenance of youth clubs and other places of recreation;

(6) establishment and maintenance of theatres for promotion of art and culture.

IV —In the sphere of self-defence and village defence.—

(1) watch and ward of the village and of the crops therein that the cost of watch and ward shall be levied and recovered from persons resident in the village;

(2) rendering assistance in extinguishing fires and the protection of life and property in the event of fire

V —In the sphere of administration:—

(1) maintenance of records relating to agricultural produce, census of village industries, population census, cattle census, spinning wheels and weaving machine census, census of unemployed persons or persons having no economic holding or such other statistics as may be necessary;

(2) registration of births, deaths, marriages and maintenance of registers for the purpose;

(3) distribution of such reliefs as may be granted by Government or other agencies;

(4) supplying local information to the Government or any other statutory authority;

(5) numbering of premises;

(6) drawing up of programmes for increasing the output of agricultural and non-agricultural produce in the village,

(7) preparation of a statement showing the requirements of the supplies and finance needed for carrying out rural development schemes;

(8) control of cattle stands, threshing floors, grazing grounds and community waste lands;

(9) reporting to proper authorities complaints which are not removable by Anchal Samitis;

(10) preparation of plans for the development of the village;

(11) establishment, maintenance and regulation of fairs, pilgrimages and festivals.

VI.—In the sphere of the welfare of the people:—

(1) propagation of ideas connected with improved housing, encouraging people to undertake improved housing, installation of smokeless chullas and ventilators;

(2) organisation of welfare activities among women and children and among illiterate sections of the community;

(3) welfare of the backward classes;

(4) organising voluntary labour for community works and works for the uplift of the village.

VII.—In the sphere of agriculture and preservation of forests:—

(1) construction and maintenance of places for the storage of cow-dung, oil cakes and other manure and regulating its collection, removal and disposal;

(2) tethering and grazing of cattle and encouraging stall feeding of cattle and growing feeder for the purpose;

(3) improvement of agriculture;

(4) establishment of granaries;

(5) provision of agricultural finance with the assistance of Government, Co-operative and Agricultural Banks;

(6) bringing under cultivation waste and fallow lands placed by the Governor with the Anchal Samiti;

(7) ensuring minimum standards of cultivation in the village with a view to increasing agricultural production;

(8) ensuring conservation of manurial resources, preparation of compost and selling of manures;

(9) establishment and maintenance of nurseries for improved seeds and provision of implements and stores;

(10) production and use of improved seeds;

(11) promotion of co-operative farming;

(12) crop experiments and crop protection.

VIII.—In the sphere of breeding and protecting cattle:—

Improvement of cattle and cattle breeding and general care of live-stock.

IX.—In the sphere of village industries:—

Promotion, improvement and encouragement of cottage and village industries.

PART II

I.—In the sphere of sanitation and health:—

(1) public health and sanitation including curative and preventive measures in respect of an epidemic;

(2) medical relief including establishment and maintenance of hospitals and dispensaries;

(3) taking anti-malarial and anti-kala azar measures.

II.—In the sphere of public works:—

(1) maintenance and regulation of the use of public buildings, grazing lands, forest lands including lands assigned under section 28 of the Indian Forest Act, 1927 (16 of 1927), tanks and wells placed under the control of the Anchal Samiti;

(2) control of major *hats;*

(3) establishment and maintenance of works or provision of employment in times of scarcity.

III.—In the sphere of self-defence and village defence:—

Regulation of offensive and dangerous trades or practices.

IV.—In the sphere of education and culture:—

Spread of education above the Middle English and Middle Vernacular standards.

V.—In the sphere of administration:—

(1) collection of statistics and maintenance of records;

(2) general power over Gram Panchayats in respect of functions assigned to them;

(3) to act as agent of the Government for development works within the area where funds for specific purposes are provided;

(4) acting as channel through which assistance given by the Governor for any purpose reaches the village.

VI.—In the sphere of the welfare of people:—

Relief of distress caused by floods, drought, earthquake and scarcity conditions and other calamities.

VII.—In the sphere of agriculture and preservation of forests:—

(1) development of agriculture and horticulture;

(2) measures for encouraging soil conservation, land reclamation and tree plantation;

(3) improvement of cattle and poultry including popularisation of the use of veterinary services, cattle inoculation facilities; castration on scientific lines and establishment of artificial insemination centres.

VIII.—Any other function that may be assigned to it by the Governor.

ZAKIR HUSAIN,
*President.*

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V. N. BHATIA,
*Secy. to the Govt. of India.*

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